United Nations A/C.6/54/SR.9

General Assembly
Fifty-fourth session

Official Records

Distr.: General
8 November 1999

Original: English

Sixth Committee

Summary record of the 9th meeting
Held at Headquarters, New York, on Monday, 18 October 1999, at 3 p.m.

Chairman: Mr. Mochochoko ..... (Lesotho)
later: Mr. Kawamura (Vice-Chairman) ..... (Japan)

Contents

Agenda item 154: United Nations Decade of International Law (*continued*)

(a) United Nations Decade of International Law (*continued*)

(b) Outcome of the action dedicated to the 1999 centennial of the first International Peace Conference (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

99-81686 (E)

The meeting was called to order at 3.10 p.m.

Agenda item 154: United Nations Decade of International Law (*continued*)

(a) United Nations Decade of International Law (*continued*) (A/54/362)

(b) Outcome of the action dedicated to the 1999 centennial of the first International Peace Conference (*continued*) (A/54/98 and A/54/381)

1. **Ms. Young** (Jamaica) said that for more than three decades, her Government had participated actively in international and regional forums relating to international law and had provided expertise in the negotiation of universally accepted treaties, including the United Nations Convention on the Law of the Sea.

2. The report of the Secretary-General on the United Nations Decade of International Law (A/54/362) contained information on the more than 70 conventions that had been concluded during the Decade. They covered a wide range of issues, including commodity trade, environmental protection, the privileges and immunities of international organizations, shipping and disarmament.

3. Her Government, which attached great importance to current developments in the field of international environmental law, was a party to some of the most recently elaborated conventions, including the Kyoto Protocol to the 1992 United Nations Framework Convention on Climate Change and the Convention on Biological Diversity. The latter convention was a prime example of the impact of international environmental law on other areas of international law. The evolutionary concepts envisioned in the Biodiversity Convention, such as facilitating access to genetic resources and protecting traditional and indigenous knowledge, were an indication of the further changes that would occur in the field as States sought to reconcile the Biodiversity Convention and the Trade-Related Aspects of Intellectual Property Rights Agreement concluded under the auspices of the World Trade Organization.

4. Progress had also been made in the area of international criminal law, notably with regard to mutual legal assistance and to the prevention of illegal arms manufacturing and trafficking, illicit drug trafficking and terrorism. A significant development throughout the Decade, however, had been the elaboration of the Rome Statute of the International Criminal Court.

5. The Statute, adopted in July 1998, took into account the evolution of international law. It was noteworthy that the Statute granted to the Court complementary jurisdiction o genocide, crimes against humanity and war crimes. It w important to her country that the Rome Conference h agreed to review the inclusion of drug crimes and acts terrorism as crimes under the jurisdiction of the Court at review conference to be held seven years after establishment of the Court.

6. The law of the sea was yet another area of in wh international law was being developed. While the Unit Nations Convention on the Law of the Sea had preceded t Decade, the Convention embodied the evolutionary conce of the common heritage of mankind.

7. Developments during the Decade had included t entry into force of the Agreement relating to t Implementation of Part XI of the Convention, t establishment of the International Seabed Authority Kingston, the approval by the Authority of the plans of wo for exploration of seven registered pioneer investors, t elaboration and first reading of the draft regulations f prospecting and exploration for polymetallic nodules, a the signing of the initial headquarters agreement between h Government and the Authority.

8. Her delegation also noted the progress made by t International Tribunal for the Law of the Sea, established 1996. The Tribunal had adopted the Rules of the Tribuna which included the rules of procedure, and had set up sever chambers, including the Seabed Disputes Chamber.

9. Significant strides had been made in the codificatio of international law through regional agreements. The Inte American Convention against the Illicit Manufacturing and Trafficking in Firearms, Ammunition, Explosives, a Other Related Materials, elaborated under the auspices the Organization of American States (OAS), was an examp of the progressive development of international law addressing the issue of small arms.

10. Her delegation expressed appreciation to t Governments of the Netherlands and the Russian Federatio for organizing the 1999 centennial of the first Internation Peace Conference of 1899. The conferences held in Th Hague and St. Petersburg had brought together experts f the purpose of giving extensive consideration to questio of disarmament, humanitarian law and the peacef settlement of disputes.

11. Pursuant to the mandate given by the Gener Assembly in its resolution 44/23, the Jamaican Ministry Foreign Affairs and Foreign Trade had organized lectur on the relevance and importance of international law to h country, placing emphasis on maritime, humanitaria

environmental and trade law. The Ministry had also endeavoured to establish a comprehensive treaty registry for Jamaica. It was expected that the registry would include the texts of the respective implementing legislation for the treaties to which her Government was a party. The treaty registry would be placed on the Ministry's Web site in the near future. The Ministry had also published articles emphasizing the role of the International Court of Justice and the specialized international tribunals in the peaceful settlement of disputes.

12. **Mr. Jacovides** (Cyprus) said that his delegation associated itself with the statement made in the previous meeting by the representative of Finland on behalf of the European Union.

13. Cyprus, in its 40 years of turbulent existence as an independent State, had been wholeheartedly dedicated to the concept of an international legal order, as a matter of both principle and national self-interest. Had the relevant rules of international law been applied, the Cyprus problem would never have arisen; and if those rules were applied now, the international aspects of that long-standing problem could be resolved quickly and fairly for all concerned. Cyprus had accepted the compulsory jurisdiction of the International Court of Justice and had repeatedly declared its willingness to have the Court adjudicate the legal aspects of the problem, in parallel to other methods of dispute resolution, a position fully consonant with the views of the Court itself.

14. Cyprus had, moreover, consistently relied on legal means of dispute settlement. For example, it had successfully resorted to the courts in the United States to recover the Kanakaria mosaics, in a precedent-setting case for the protection of cultural property looted from occupied territory. More recently it had applied to the European Court of Justice on the phytosanitary certificates issue and to the European Court of Human Rights in the Titina Loizidou case.

15. Over the years, Cyprus had made it a deliberate policy to participate in all the major lawmaking conferences held under the auspices of the United Nations. It had contributed to the development of compulsory third-party dispute settlement procedures, notably at the Conference on the Law of the Sea, and the adoption of the concept of *jus cogens*, notably in the Vienna Convention on the Law of Treaties, and had been active in advocating acceptance of an international criminal jurisdiction. Now that the Statute of the International Criminal Court had been adopted, it was important to ensure that the Court was established and fully functioning as soon as possible.

16. As the United Nations Decade of International Law came to a close it was satisfying to note that progress had been made towards all the objectives spelled out in General Assembly resolution 44/23. The Secretary-General's thorough report (A/54/362) detailed an impressive number of events and publications at the national, regional and international levels. The work of the Codification Division, the International Trade Law Branch and the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs deserved special commendation.

17. The meetings held in The Hague and in St. Petersburg in celebration of the centennial of the first International Peace Conference (A/54/381) had been a fitting culmination of the United Nations Decade of International Law, and Cyprus had been proud to be one of the "Friends of 1999".

18. Cyprus had long been a supporter of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, and had been a member of the Advisory Committee on the Programme since 1965. The Programme had long been doing valuable work and deserved full support and more adequate funding.

19. It should not be forgotten that informal forums, such as the meetings of legal advisers of foreign ministries and of the States members of the Asian-African Legal Consultative Committee, which since 1990 had been held on the sidelines of the annual debate in the Sixth Committee on the report of the International Law Commission, provided the opportunity for practitioners who could really make a difference in practical terms to get to know each other and exchange views.

20. The Non-Aligned Movement and the Commonwealth also provided useful forums for promoting international law activities and achieving the objectives of the Decade. The very idea of declaring the Decade of International Law had been conceived in the context of the Conference of Foreign Ministers of the Non-Aligned Countries held in Nicosia in September 1988. In the new circumstances resulting from the end of the cold war, increased activity in the international legal field within the framework of the principles on which its existence was based could become a new focal point for the Movement. One appropriate occasion for such activity would be the commemorative session on the Decade due to take place in the plenary Assembly in November. Similarly, the Commonwealth, representing nearly one third of the United Nations membership and sharing legal notions based on common law, constituted one of the world's principal legal systems and could play an active role in developing international law,

as it had already done in the case of an international criminal jurisdiction and sustainable development of small island developing States.

21. The substantial increase in the workload of the International Court of Justice was both a welcome development of the past decade and an argument for providing more adequate financial resources. More work needed to be done on expanding the compulsory jurisdiction of the Court, particularly with regard to *jus cogens*.

22. Mechanisms for peaceful dispute settlement had been expanded with the creation of the International Tribunal for the Law of the Sea, the International Tribunals for the former Yugoslavia and for Rwanda and most notably, in the establishment of the International Criminal Court. Less noticed but also valuable were the quasi-judicial institutions such as the United Nations Compensation Commission, the claims resolution tribunal for dormant Swiss accounts, the World Bank International Centre for Settlement of Investment Disputes, and the various international courts of arbitration. In addition, the international supervisory machinery had been substantially expanded by the committees responsible for ensuring compliance with the conventions on human rights, racial discrimination, discrimination against women, the rights of the child, prevention of torture and others. In that regard, one very recent development was the entry into force of the Framework Convention for the Protection of National Minorities of the Council of Europe; its supervisory machinery had already begun to hear reports from the States parties.

23. As the Decade drew to a close it could be said that there was considerably greater awareness than before of the rules of international law and of the need to apply the rule of law among and within States. However, it must be admitted that, especially in the area of international peace and security, there were several situations, including the blatantly illegal situation confronting Cyprus, where power politics and the idea that might made right continued to prevail. Recent debate in the plenary Assembly and in the Sixth Committee had served to underscore the realization that international law was in a state of evolution, but also the conviction that the principles of the Charter of the United Nations were of primary importance and that there should be no double standards. The task of the Committee was to do its utmost to see that international law was paramount and, to the extent possible, to achieve a world of peace with justice in the new millennium.

24. **Ms. Taddei** (San Marino) said that too often international law was perceived as something that did not touch the lives of ordinary people; yet individuals were increasingly being given access to international procedures to settle their disputes with States. The eleventh protocol to the European Convention on Human Rights, for example, allowed individuals recourse for violation of their civil rights.

25. Among the initiatives undertaken to celebrate the close of the Decade, she would like to mention in particular the meetings held in The Hague and St. Petersburg in celebration of the centennial of the first International Peace Conference; and the non-governmental Hague Appeal for Peace Conference, which had addressed issues of great concern, such as the International Criminal Court, the problem of mercenaries, the legality of humanitarian intervention, and the creation of a culture of peace.

26. Among the most significant initiatives taken during the Decade to promote knowledge of international law were the efforts of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law; the seminars on international law organized by the University of Helsinki and the Erik Castrén Institute of International Law and Human Rights; various European Union projects to promote human rights education; initiatives undertaken by the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe; and the many activities of the International Committee of the Red Cross, particularly the project to produce multimedia teaching modules.

27. San Marino attached great importance to the promotion of means of peaceful settlement of disputes, particularly the use of arbitration. The increased number of cases brought to the attention of the International Court of Arbitration of the International Chamber of Commerce were a sign of its efficiency and expertise. The International Centre for Settlement of Investment Disputes was another valuable mechanism. The Government of San Marino itself had recently established a court of arbitration in the hope that it would become an internationally recognized instrument for the settlement of commercial and political disputes. It was not intended as a competitor to the existing bodies, but hoped to collaborate and cooperate with them. It was an attempt by San Marino, a small State that had rejected war as a means of settling disputes, to contribute to the achievement of the objectives of the Decade. In that regard, the comments and suggestions of other delegations had been extremely helpful.

28. Among the valuable work done by the United Nations in developing and codifying international law, her delegation

considered the electronic database containing the United Nations Treaty Collection to be a very important tool.

29. **Mr. van den Hout** (Observer for the Permanent Court of Arbitration), speaking in accordance with a decision of the Committee waiving the rule that observers should speak at the end of the meeting, said that the conclusion of the United Nations Decade of International Law coincided not only with the centennial of the first International Peace Conference but also with the hundredth anniversary of the Permanent Court of Arbitration, which had been established by that same Peace Conference to handle the peaceful settlement of international disputes. The Permanent Court of Arbitration was therefore in a sense the predecessor of the International Court of Justice, but currently they were complementary in nature. Both were devoted to the peaceful settlement of international disputes. The International Court of Justice resolved inter-State disputes through judicial adjudication, whereas the Permanent Court of Arbitration had a broader jurisdiction, extending also to cases involving international organizations and private parties and applied a different set of dispute resolution mechanisms, ranging from arbitration to commissions of inquiry, conciliation, and mediation.

30. Since 1996, it had served as registry for six ad hoc arbitral tribunals. Although not a registry for international commercial arbitration, the Permanent Court of Arbitration was closely in touch with that field. It was often asked by the United Nations Commission on International Trade Law (UNCITRAL) to appoint or arrange the appointment of arbitrators in cases where parties in dispute had been able to constitute the tribunals themselves under the UNCITRAL Arbitration Rules. Moreover, several years ago, the International Council for Commercial Arbitration had sought the cooperation of the Permanent Court of Arbitration with regard to its publications. The arrangement had proved to be mutually beneficial and had given the Permanent Court of Arbitration regular access to the most recent developments in the field.

31. It was the aim of his organization to become a repository of information concerning alternative methods of peaceful dispute resolution. It also aimed to undertake a comparative analysis of the institutional aspects of the various mass claims systems. Such a catalogue of information would be of great use to Governments and other parties responsible for setting up new claims tribunals. Lastly, the Permanent Court of Arbitration was equipping itself to take up the challenge of filling the current gap in international dispute resolution mechanisms pertaining to the environment. It might well prove to be the appropriate forum to handle sensitive environmental issues, since arbitration generated a higher "level of comfort" than judicial settlement and allowed for participation of expert witnesses and expert arbitrators in that complex field.

32. The Conference of Members of the Permanent Court of Arbitration at its commemorative session on 17 May 1999 had adopted a resolution, the operative paragraphs of which were reproduced in document A/54/381 (para 9). The Permanent Court of Arbitration would consider it fitting if the Sixth Committee, at the close of its consideration of the agenda item, were to endorse those operative paragraphs. It would be a modest but important action to help strengthen the existing mechanisms of peaceful dispute resolution.

33. It was the considered opinion of his organization, the legal titleholder of the name "Permanent Court of Arbitration", that the proposal of San Marino to establish an arbitral institution under the same name would lead to great confusion within the international community.

34. **Mr. Niehaus** (Costa Rica) said that his delegation associated itself with the statement made by Mexico on behalf of the Rio Group.

35. As the Decade drew to a close, his delegation noted with satisfaction the conclusion of various instruments of fundamental importance to international law, including the Rome Statute of the International Criminal Court, the Comprehensive Nuclear-Test-Ban Treaty, the 1997 Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, the Kyoto Protocol to the Convention on Climate Change, the Convention on Biological Diversity and the indefinite extension of the United Nations Framework Treaty on the Non-Proliferation of Nuclear Weapons. Furthermore, thanks to the tremendous efforts of the Committee, the International Convention for the Suppression of Terrorist Bombings had been concluded, and would soon be followed by the international convention for the suppression of the financing of terrorism, which was being negotiated at the current session.

36. In order to consolidate the achievements of the Decade, it would be fitting to call for the signing and ratification of all treaties concluded during the Decade. A signing ceremony in the context of the Millennium Assembly would be an appropriate follow-up to the activities undertaken during the Decade.

37. In 1999 the countries of the Americas would mark the thirtieth anniversary of the adoption of the American Convention on Human Rights and the twentieth anniversary of the establishment of the Inter-American Court of Human Rights. The Convention and the Court were the basis of the

pan-American system for the protection of human rights and had made a valuable contribution to the development of international law, both regionally and internationally.

38. The American Convention on Human Rights, or Pact of San José, had been adopted on 22 November 1969 at the Inter-American Specialized Conference on Human Rights held in Costa Rica. The instrument contained a list of human rights and fundamental freedoms which States parties pledged to respect. It also established the Inter-American Commission on Human Rights.

39. The Pact of San José had entered into force on 18 July 1978 with the deposit of the eleventh instrument of ratification. Subsequently, on 3 September 1979, the Inter-American Court of Human Rights had been established with its seat at San José. Currently, 25 States had ratified or acceded to the Convention, while 21 States had accepted the competence of the Court in the settlement of disputes.

40. A solemn ceremony to mark those anniversaries would be held in San José, on 22 November 1999 with the sponsorship of his Government, the approval of the General Assembly of OAS and the cooperation of the Inter-American Institute of Human Rights. It would be attended by representatives of States members of OAS and States having observer status with OAS, members of the Inter-American Court of Human Rights and the American Commission on Human Rights and representatives of the United Nations High Commissioner for Human Rights.

41. Lastly, his delegation expressed appreciation to the Governments of the Netherlands and the Russian Federation for organizing the 1999 Centennial of the first International Peace Conference of 1899.

42. *Mr. Kawamura (Japan) took the Chair.*

43. **Mr. Biato** (Brazil) said that his delegation associated itself with the statement made by Mexico on behalf of the Rio Group.

44. The past 10 years had been a decade of international law for his country. In all fields, from human rights to environmental legislation, and from commercial arbitration to academic studies, awareness of and commitment to the principles and application of international law had been strengthened. A National Plan for Human Rights had been established. His Government had accepted the compulsory jurisdiction of the Inter-American Court of Human Rights and was honoured that a Brazilian, Professor Cançado Trindade, had recently been elected to the Court.

45. The establishment of the Southern Common Market (MERCOSUR) in 1991 had fostered the study and practice of regional integration law, especially in such as areas as arbitration, comparative legislative structures and mutual recognition of law degrees among member countries.

46. In the past decade, international law had become a core subject in law school curricula. A series of debates was currently being held under the auspices of the Ministry of Foreign Affairs, the Bar Association and the Attorney-General with a view to broadening public awareness of issues related to international law.

47. His delegation noted with satisfaction the election of Professor Francisco Rezek to the International Court of Justice. The Court would continue to make an important contribution to the worldwide efforts to strengthen the peaceful settlement of disputes.

48. His delegation attached particular importance to the 1999 centennial of the first International Peace Conference of 1899 and commended the efforts of the Governments of the Netherlands and the Russian Federation in that regard. The Hague and its historic peace conferences of 1899 and 1907 held a special place in his country's diplomatic history.

49. With regard to the substantive discussions held in The Hague in 1999, he wished to dwell on two issues of particular relevance, namely, disarmament and international humanitarian law. In the field of disarmament, it was unfortunate that work on the international legal framework for arms control had not advanced at the desired pace. It might be time to expand the interaction of those parts of the United Nations system that dealt with the issue. His delegation therefore endorsed the idea, considered in The Hague, that the Sixth Committee should give increased attention to the discussion of the legal aspects of disarmament and arms control.

50. In the field of humanitarian law, moral imperatives should be backed up by stronger and stricter rules for the prosecution of serious offenders. His delegation viewed the complementary jurisdiction of the International Criminal Court as a valuable addition to both domestic legal systems and the multilateral regime for the international protection of human rights. Similarly, the role played by the International Committee of the Red Cross in humanitarian situations worldwide should be reinforced.

51. Lastly, his delegation suggested that the spirit of the Decade should be carried over to the next millennium by continuing efforts to generate public awareness of international law, developing study programmes at the university level, and calling on governmental and non-governmental international law commissions to take an active part in organizing and promoting those initiatives.

52. **Mr. Zmeevsky** (Russian Federation) said that the United Nations had performed a historic service in confirming, through the Decade, the supremacy of international law, the universality of its principles and standards, the expansion of the range of international relations governed by it and the increased compatibility between the positions adopted by States. The Organization had done crucial work, but much could still be done with regard to the legal bases for the use of force in international relations, for improving sanctions regimes, for peacemaking, for the peaceful settlement of disputes and for improved cooperation between United Nations bodies and regional organizations. Greater thought should be given to the international law aspects of preventive diplomacy and post-conflict reconstruction.

53. The United Nations had a special role to play in the light of moves to undermine the existing system of international relations. It was often argued that, as it stood, international law was imperfect and that "humanitarian disasters" should be resolved pragmatically, with no regard even for the fundamental principles of international law enunciated in the Charter of the United Nations. Although, as his country's Minister for Foreign Affairs had stated, international law should adapt to new realities, its further codification and progressive development could take place only on the basis of respect for the principles of inter-State contacts as laid down in the Charter.

54. Much importance had been attached in the Russian Federation to the implementation of the Decade's goals. National and international activities had included a joint Russian-American seminar on the role of the United Nations in the development of the international law of the sea, an international seminar on international law standards in the territory of Russia, events to mark the 150th anniversary of the birth of the Russian academic and diplomat Fedor Martens, a conference on the United Nations and international law over the past 50 years, a conference on the application of international law by Russian judges and law-enforcement bodies and an international conference of the International Law Association.

55. An important aspect of the Decade had been the centennial of the first International Peace Conference of 1899, convened on Russia's initiative, which had laid the foundations of international law governing the settlement of disputes, issues relative to war, and arms limitation. Together with the second conference of 1907, it had in many ways provided correct answers to the challenges of the future. The 1999 meetings in The Hague and St. Petersburg, and elsewhere, had continued the traditions of the two earlier conferences and could therefore be seen as a third international peace conference, as originally suggested by the President of the Russian Federation. Like the two earlier conferences, it had been a joint effort by Russia and the Netherlands and represented a fine example of effective cooperation, as document A/54/381 demonstrated. An important contribution had also been made by the "Friends of 1999".

56. The main objective of the 1999 conference had been to encourage wide international discussion aimed at defining the basic directions for the development of international law in the next century and focusing attention on the need for observance of international law. The conference, attended by representatives of States, intergovernmental and non-governmental organizations, had witnessed extraordinarily successful discussions on the strengthening of international law and order. The conference had been preceded by a number of others throughout the world, many organized on the initiative of the "Friends of 1999". An important outcome had been the formation of a coalition of non-governmental organizations, whose role in contemporary life was becoming ever more significant.

57. The conference had taken only the first steps towards meeting the challenges of the twenty-first century, although it had been agreed by all that international law must be maintained; there was no alternative. Indeed, respect for international law and order should be increased and the powers of the United Nations to prevent violations of its objectives and principles — and to deal with the consequences of such violations — should be strengthened. The conference could be the first in a regular series on various aspects of international law. His delegation suggested that an appropriate follow-up would be to convene a further "decentralized" conference, focusing on the legal and organizational aspects of the issue. He called on the Committee to take the appropriate decisions to that end.

58. The highest priority for all peoples and States was a democratic and enlightened world without wars or conflicts, where each State had the right to its proper place among other nations. The conclusion of the Decade was the start of a new stage in the strengthening of the universal observance of international law, in response to the needs of humankind in the coming millennium.

59. **Mr. Choe Myong Nam** (Democratic People's Republic of Korea) said it was unfortunate that a number of developments had occurred during the Decade that had disappointed and shocked the international community. Certain countries or groups of countries continued to adopt policies and practices in contravention of the recognized principles of international law. A typical example was the

attempt to erode the sacrosanct status of national sovereignty. Recently, certain assertions had been made which redefined the concept of national sovereignty that had prevailed hitherto, and a number of supporting arguments, such as the so-called theory of the extraterritorial nature of humanitarian intervention and protection of human rights, had been put forward without hesitation.

60. Some countries had no scruples about encroaching upon the sovereignty of other countries and devastating the human rights and fundamental freedoms of their peoples by mobilizing huge regular armed forces and undertaking military invasions. Events before, during and after the North Atlantic Treaty Organization air strikes against Yugoslavia were vivid proof of that.

61. Such attacks were an extreme example of high-handedness and arbitrariness on the part of some countries which had been pursuing a political and military strategy aimed at subordinating small and independent countries following the disappearance of the confrontation between East and West. They had labelled as "rogue States" those countries which disobeyed unjust orders for the purpose of safeguarding their national sovereignty, while seeking to suppress them politically, economically and militarily. Under those circumstances, the theory of those who opposed the principle of respect for national sovereignty could be construed as "might makes right". The law that they upheld was the law of the jungle rather than international law. The question arose as to which States were "rogue States" and which were defenders of international law in the real sense of the term.

62. Respect for national sovereignty was a cornerstone of international law and a pillar of international relations. Accordingly, his delegation underscored the urgent need for vigilance in the light of the hostile manoeuvres aimed at undermining respect for national sovereignty.

63. **Mr. Kolby** (Norway) said that his delegation welcomed the report of the Secretary-General on the Decade (A/54/362) and the outcome of the action dedicated to the 1999 centennial of the first International Peace Conference of 1899. In particular, his delegation commended the Governments of the Netherlands and the Russian Federation for organizing the meetings held in The Hague and St. Petersburg.

64. With regard to humanitarian law, his delegation believed that priority should be given to promoting compliance with existing law rather than adopting new instruments. Continued efforts must be made to expedite national signature and ratification procedures in order to secure the early establishment of the International Criminal Court.

65. Many non-governmental organizations had played an important role in the Decade, particularly the Hague Appeal for Peace Conference.

66. In the past 10 years, the international community had become equipped with electronic tools which facilitated access to the relevant sources of international law. His delegation noted with satisfaction the completion of a United Nations project establishing a new electronic treaty database. Access to updated information promoted knowledge of and respect for treaties and helped to realize the purposes of Article 102 of the Charter of the United Nations.

67. The promotion of means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice, had been a core objective of the Decade. The Court was the principal international judicial body and possessed unique competence and universality. During the past decade there had been an increase in the number of cases referred to the Court. While acknowledging the financial constraints imposed on the Court, his delegation welcomed the increased activity and noted with satisfaction that the Advisory Committee on Administrative and Budgetary Questions had given favourable consideration to the budget request for the Court.

68. **Mr. Sun Guoshun** (China) said that 1999, the final year of the Decade, also marked the centennial of the First International Peace Conference and the fiftieth anniversary of the adoption of the four Geneva Conventions.

69. One hundred years ago, representatives of 26 countries, including China, had gathered at The Hague for a peace conference which had been of great significance in the establishment of mechanisms for the peaceful settlement of international disputes. His Government commended the success of the Centennial conferences held in The Hague and St. Petersburg and expressed its gratitude to the Governments of the Netherlands and the Russian Federation for their organizing efforts.

70. His Government had sponsored several symposia under the programme of activities for the Decade. On the occasion of the Centennial, the International Law Society of China, the Chinese Red Cross Society and the United Nations Society of China had jointly sponsored the Symposium on International Humanitarian Law, held in Beijing in July.

71. **Mr. Begg** (New Zealand) said that his country had actively supported the principles underpinning the Decade, one major initiative being the establishment of a New Zealand branch of the International Law Association in

Wellington, with a sub-branch in Auckland. At its 1999 annual conference, the branch had examined international humanitarian law and international security.

72. New Zealand had ratified several significant multilateral treaties, including the Convention on the Safety of United Nations and Associated Personnel, which his delegation had been active in drafting and promoting and whose entry into force in January 1999 it welcomed. He urged States that had not done so to consider becoming parties to it. The tragic deaths of United Nations personnel in Kosovo and Burundi the previous week had demonstrated that there was still a long way to go in promoting respect for the provisions of the Convention. His delegation supported the call for an additional protocol to the Convention to extend legal protection to local United Nations staff. A number of East Timorese people had tragically died in the service of the United Nations in August and September 1999.

73. New Zealand had also ratified the Comprehensive Nuclear-Test-Ban Treaty and signed the Rome Statute of the International Criminal Court; his delegation looked forward to the expeditious entry into force of the latter. The entry into force in March 1999 of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction was particularly gratifying; if the political will existed, the negotiation, ratification and entry into force of international law could be rapid and effective.

74. In token of its commitment to the widest practicable dissemination of United Nations information and international legal resources, his Government had made significant progress in the past year in bringing up to date the publication of all treaties to which New Zealand was a party. Moreover, the New Zealand Defence Force had introduced a training module on international humanitarian law and was revising its manual on the law of armed conflict.

75. His country attached great importance to the peaceful settlement of disputes, as was demonstrated by its participation in peacekeeping operations worldwide; while continuing its work to develop peace and reconciliation in the island of Bougainville, New Zealand had also made a significant contribution to the restoration of peace and security in East Timor.

76. The end of the Decade should bring about no lessening of the commitment to its goals. Many significant milestones in the codification of international law had been achieved, but the more difficult challenge was to ensure that treaties were respected and enforced. His Government would work constructively to that end.

77. **Mr. Ahipeaud** (Côte d'Ivoire) said that it was time to take stock of the results of the Decade. Much had been achieved but the international community must make even greater efforts in order to cope with the many challenges that remained. Many conventions had been signed and ratified under the auspices of the United Nations. Of particular importance were the Montreal Protocol on Substances that Deplete the Ozone Layer, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the Rome Statute of the International Criminal Court. Actions, however, spoke louder than words. Although an impressive body of texts had been adopted, the real test of a law lay in its implementation and in its effect on the everyday relations between the people governed by it. If the law was not applied, or flouted with impunity, it did not exist and the law of the jungle reigned again. All too often, observance of international law was overridden by special interests. His delegation called on the international community to increase its efforts not only to codify international law but to implement it, thus establishing full confidence between peoples. It should surely be possible to create a mechanism within the United Nations to monitor and evaluate the observance of international law by States. Dreams could become reality, as exemplified by the United Nations itself.

78. **Mr. Fruchtbaum** (Solomon Islands) said that there was common agreement on the success of the Decade. The Secretary-General's report (A/54/362) and the letter dated 10 September 1999 from the Permanent Representatives of the Netherlands and the Russian Federation addressed to the Secretary-General (A/54/381) testified to what had been achieved. Impressive efforts had been made to reach out to professionals and students. He was, however, concerned that the majority of the world's population had been overlooked. All efforts at dissemination had passed by the man or woman in the street. At the end of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, one New York newspaper had opposed acceptance of the Court by the United States of America on the grounds that there was no such thing as international law. The press, film-makers, television and radio producers, writers of commercial books and even authors of children's comic books should be targeted. It would be a mistake to consider the issue too complex for the general public; international law needed a popularizer to give the public the information it needed, as such writers as

H. G. Wells had done for science. There was no room for self-congratulation. The Committee should embark on a campaign to disseminate information on international law.

The meeting rose at 5.00 p.m.